Supreme Court's verdict on Closure of Factories

860. SHRI JIBON ROY: Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that a Constitutional Bench of the Supreme Court in a recent verdict made Government clearance mandatory for the purpose of declaring a factory closed;

(b) whether in the same verdict the Supreme Court has opined that factory may not be allowed to be closed on public interest despite there is justification by the employer; and

(c) how many industries have been declared closed without Government's prior permission?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI MUNI LALL): (a) to (c) The Hon'ble Supreme Court has given a judgement in Civil Appeal No. 529 of 2002 (arising out of SLP(C) No. 6643) regarding constitutional validity of amended section 25-O of the I.D. Act in the case of M/s Orissa Textile and Steel Ltd. *Vs.* State of Orissa and Others along-with 12 other cases.

The Hon'ble Apex Court has held that the amended section 25-O provides for an inquiry after an opportunity of being heard to the employer, workmen and all interested persons, and provide that the order is to be reasoned in writing.

The information on the number of industries that have been declared closed without Government's prior permission is not maintained.

Right to Work as a Fundamental Right

861. DR. KARAN SINGH:
SHRI AIMADUDDIN AHMED KHAN (DURRU):

Will the Minister of LABOUR be pleased to state:

(a) whether Government propose to secure the Right to Work to all as a Fundamental Right; and